

Attorney's Docket No. 040989/283649

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

re: Hiatt *et al.* Confirmation No.: 4901  
Appl. No.: 10/062,467 Group Art Unit: 1651  
Filed: February 5, 2002 Examiner: David M. Naff  
For: NOVEL EPITHELIAL TISSUE IMAGING AGENT

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF TERMINAL DISCLAIMER  
UNDER 37 C.F.R. § 1.321(c)**

Applicant hereby submits the enclosed Terminal Disclaimer Under 37 C.F.R. § 1.321(c) for the above referenced application. Also enclosed is a check in the amount of \$130.00 for a large entity or \$65.00 for a small entity [37 C.F.R. § 1.20(d)] to cover the fee for filing a Terminal Disclaimer. The Examiner is authorized to charge Deposit Account No. 16-0605 for any additional fee that may be required or credit any overpayment.

Respectfully submitted,

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Registration No. 47,549

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 27, 2005.

  
Lynda Jo Pixley



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**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)**

The disclaimant, Plantibodies Corporation, having a principal place of business at 158 Credle Street, Pittsboro, NC 27312, verifies through its duly authorized representative that it is the owner of all right, title, and interest in the above-identified application, by Assignment recorded February 24, 2005 at Reel 015778, Frame 0716.

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,045,774, issued January 10, 1997, entitled NOVEL EPITHELIAL TISSUE IMAGING AGENT, which patent was assigned to the above-identified disclaimant by an Assignment also recorded February 24, 2005 at Reel 015778, Frame 0716.

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,045,774, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of U.S. Patent No. 6,045,774 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(c), has all claims cancelled by a reexamination

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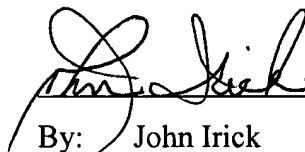
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certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I, John Irick, represent that I am the Vice President and Secretary of Plantibodies Corporation and am authorized to execute this disclaimer on behalf of Plantibodies Corporation. I further declare that the evidentiary documents of ownership have been reviewed, and I certify that to the best of disclaimant's knowledge and belief, title is in the disclaimant seeking to take action.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Plantibodies Corporation



By: John Irick  
Its: Vice President and Secretary  
Date: July 22, 2005

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